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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventor: Keiichi KITAGAWA et al. Group Art Unit: 2682

Appln. No.: 09/856,245 Examiner: A. Behulu

Filed: May 18, 2001

For: TRANSMITTING APPARATUS AND TRANSMITTING METHOD

CERTIFICATION UNDER 37 CFR §1.97(e)(1)

Assistant Commissioner of Patents  
Washington, DC 20231

Dear Sir:

In fulfillment of 37 CFR 1.97(c)(1) and 1.97(e)(1), it is hereby certified that each item of information contained in the attached Information Disclosure Statement was first cited in any communication (see the attached copy of a European Search Report dated September 2, 2005) from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

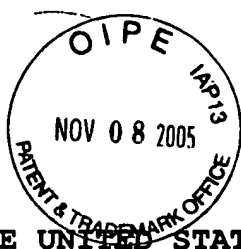
Respectfully submitted,

James E. Ledbetter  
Registration No. 28,732

Date: November 8, 2005

JEL/jpf

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INFORMATION DISCLOSURE STATEMENT

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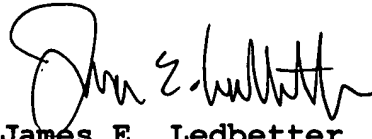
Dear Sir:

Pursuant to Rules 56 and 99, Applicants hereby call the attention of the Patent Office to the documents listed on the attached Form PTO 1449. These references were cited in an European Search Report dated September 2, 2005 (copy attached).

Applicants present this art so that the Patent Office may, in the first instance, determine any relevancy thereof to the presently claimed invention, see Beckman Instruments, Inc. v. Chemtronics, Inc., 439 F.2d 1369, 1380, 165 USPQ 355, 364 (5th Cir. 1970). Also see Patent Office Rules 104 and 106. Applicants respectfully request that this art be expressly considered during the prosecution of this application and made of record herein and

appear among the "References Cited" on any patent to issue herefrom.

Respectfully submitted,



James E. Ledbetter  
Registration No. 28,732

Date: November 8, 2005

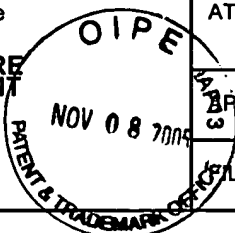
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FORM PTO-1449 U.S. Department of Commerce  
(Rev. 4/92) Patent and Trademark Office

# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(Use several sheets if necessary)



ATTY. DOCKET NO.  
**L9289.01138**

SERIAL NO.  
**09/856,245**

APPLICANT

**K. KITAGAWA, et al.**

FILING DATE  
**May 18, 2001**

GROUP  
**2682**

## **U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5 4 8 3 6 7 6	01/1996	Mahany et al..			
	5 7 1 5 2 7 7	02/1998	Goodson et al.			

## **FOREIGN PATENT DOCUMENTS**

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
					YES NO

## **OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

European Search report dated September 2, 2005.

Eyuboglu M, et al.: "Advanced Modulation Techniques for V. Fast" European Transactions on Telecommunications and Related Technologies, AEI, Milano, IT, vol. 4, no. 3, May 1, 2004, XP000385751, pages 243-256.

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation is considered, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.